

**ASSEMBLY BILL**

**No. 1365**

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**Introduced by Assembly Member John A. Pérez**

February 22, 2013

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An act to amend Sections 9795 and 10242.5 of the Government Code, relating to agency reports.

LEGISLATIVE COUNSEL'S DIGEST

AB 1365, as introduced, John A. Pérez. State and local agency reports: submission to Legislative Counsel.

Existing law requires the Legislative Counsel to annually prepare, publish, and maintain an electronic list of all reports that state and local agencies are required or requested by law to prepare and file with the Governor or the Legislature. Existing law requires state and local agencies to file a printed copy of these reports with the Legislative Counsel.

This bill would authorize state and local agencies to file these reports with the Legislative Counsel electronically.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 9795 of the Government Code is amended  
2     to read:  
3     9795. (a) (1) Any report required or requested by law to be  
4     submitted by a state or local agency to the Members of either house  
5     of the Legislature generally, shall instead be submitted as a printed  
6     copy to ~~both the Legislative Counsel and the Secretary of the~~

Senate, ~~and~~ as an electronic copy to the Chief Clerk of the Assembly, *and as an electronic or printed copy to the Legislative Counsel*. Each report shall include a summary of its contents, not to exceed one page in length. If the report is submitted by a state agency, that agency shall also provide an electronic copy of the summary directly to each member of the appropriate house or houses of the Legislature. Notice of receipt of the report shall also be recorded in the journal of the appropriate house or houses of the Legislature by the secretary or clerk of that house.

(2) In addition to and as part of the information made available to the public in electronic form pursuant to Section 10248, the Legislative Counsel shall make available a list of the reports submitted by state and local agencies, as specified in paragraph (1). If the Legislative Counsel receives a request from a member of the public for a report contained in the list, the Legislative Counsel is not required to provide a copy of the report and may refer the requester to the state or local agency, as the case may be, that authored the report, or to the California State Library as the final repository of public information.

(b) No report shall be distributed to a Member of the Legislature unless specifically requested by that member.

(c) Compliance with subdivision (a) shall be deemed to be full compliance with subdivision (c) of Section 10242.5.

(d) A state agency report and summary subject to this section shall include an Internet Web site where the report can be downloaded and telephone number to call to order a hard copy of the report. A report submitted by a state agency subject to this section shall also be posted at the agency's Internet Web site.

(e) For purposes of this section, "report" includes any study or audit.

SEC. 2. Section 10242.5 of the Government Code is amended to read:

10242.5. (a) The Legislative Counsel shall annually prepare, publish, and maintain an electronic list of all reports that state and local agencies are required or requested by law to prepare and file with the Governor or the Legislature, or both, in the future or within the preceding year. The list shall include all of the following information:

(1) The name of the agency that is required or requested to prepare and file the report.

1 (2) A brief description of the subject of the report.

2 (3) The date on which the report is to be completed and filed.

3 (4) The date on which the report was completed and filed.

4 (b) Each list by the Legislative Counsel prepared pursuant to  
5 subdivision (a) shall be sent to each Member of the Legislature  
6 and shall be available to the public. The Legislative Counsel may  
7 charge a member of the public a fee that does not exceed the direct  
8 cost of printing the list.

9 (c) Each state and local agency that is required or requested by  
10 law to prepare a report described in subdivision (a) shall file a  
11 printed *or electronic* copy of the report with the Legislative  
12 Counsel.

13 (d) As used in this section:

14 (1) “Agency” includes any city, county, special district,  
15 department, board, bureau, or commission, including any task  
16 force or other similar body that is created by statute or resolution.  
17 “Agency” does not include the University of California.

18 (2) “Report” includes any study or audit.

19 (e) (1) The Legislative Counsel shall update the list required  
20 by subdivision (a) by removing obsolete or duplicate reports from  
21 the list. The Legislative Counsel shall also remove reports from  
22 the list as directed by Section 4 of ~~the act adding this subdivision~~  
23 *Chapter 7 of the Statutes of 2010*, or a subsequent statute that  
24 further requires the Legislative Counsel to remove reports included  
25 in the list.

26 (2) For purposes of this subdivision, “obsolete report” means a  
27 report that has not been completed and filed and for which the date  
28 that the report was required to be completed and filed was four or  
29 more years after the initial report is submitted.